IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA,	)	
	)	
v.	)	**Criminal No. 1:21-cr-00537-JMC**
	)	
RYAN SAMSEL,	)	
	)	
Defendant.	)	

MOTION *IN LIMINE* AND TO JOIN AND ADOPT

Defendant Ryan Samsel, by and through counsel, and pursuant to Rules 104(a), 401, and 403 of the Federal Rules of Evidence as well as the Court's February 19, 2021, Oral Order pursuant to Rule 5(f) of the Local Rules of the United District Court for the District of Columbia, hereby submits the foregoing Motion *in Limine* and seeks to join the Motions *in Limine* filed by his codefendants. *See* Motion *in Limine* (Oct. 2, 2023) (ECF No. 278); Motion *in Limine* (Oct. 2, 2023) (ECF No. 280).

On January 27, 2022, this Court ordered that the government shall complete its production of discovery in this case on or before February 24, 2022. Accordingly, on that date, the government filed a Notice of Filing Discovery Correspondence, attaching a Discovery Letter detailing the government's efforts to comply with the Court's January 27, Minute Order.

Concomitantly, Mr. Samsel continued to oppose the government's request that time be excluded from the Speedy Trial Act, but ultimately, and based on the understanding that Mr. Samsel had received all responsive discovery in the case, Mr. Samsel moved to continue the trial in this matter on December 16, 2022 (ECF No. 229), and then did not oppose the government's renewed request to continue the trial date on March 1, 2023 (ECF No. 248).

However, on February 15, 2023, the government superseded its indictment as against Mr. Samsel, alleging, for the first time, that Mr. Samsel had assaulted police officers with, "a plank of wood." Fourth Superseding Indictment, at 8 (Feb. 15, 2023) (ECF No. 245).

Despite superseding the indictment in this case, the evidence of Mr. Samsel allegedly assaulting police officers with, "a plank of wood," was not produced by the government until the deadline to disclose exhibits for trial reset for October 23, 2023, or on September 13, 2023. Specifically, in its production of trial exhibits, the government disclosed body worn camera depicting a plank being thrown at police officers, video which does not depict Mr. Samsel. Most prejudicially, the government's late disclosure of such evidence precludes Mr. Samsel from watching the countless other body worm cameras in the vicinity of the area where the plank was thrown to ascertain whether there is better footage of the person throwing the plank in order to confirm that it was not, in fact, Mr. Samsel throwing the plank.

Accordingly, Mr. Samsel has been prejudiced by the government's late disclosure of discovery in this case. As a result, the Court should preclude the government's introduction of body worn camera it only disclosed to defense counsel less than a month ago.

[SIGNATURE ON NEXT PAGE]

Dated: October 2, 2022

Respectfully submitted,

/s/ Stanley E. Woodward, Jr.

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CERTIFICATE OF SERVICE

On October 2, 2022, the undersigned hereby certifies that a true and correct copy of the foregoing was electronically filed and served via the CM/ECF system, which will automatically send electronic notification of such filing to all registered parties.

/s/ Stanley E. Woodward, Jr.

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